

REMARKS

Claims 1 – 17 were pending in the present application. Claims 1, 2, 11, 16 and 17 have been amended. Claims 18 – 23 have been added. Claims 1 – 23 remain pending in the present application

Claims 1 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoggarth et al. (U.S. Patent Number 6,535,976, hereinafter ‘Hoggarth’) in view of Chou et al (U.S. Patent Number 6,065,123, hereinafter ‘Chou’), further in view of Mergard (U.S. Patent Number 6,530,050). Applicant respectfully traverses this rejection and requests reconsideration. Applicant has nevertheless amended independent Claims 1, 2, 11, 16 and 17.

Amended Claim 1 recites a storage manager accessible to a server device for saving the state of a client device, wherein the state includes **client disk configuration information**.

As noted by Applicant in a response to the previous Office Action, Hoggarth discloses a method of booting a client data processing system attached to a control data processing system, wherein the client system issues an initial program load request onto a network, and wherein in response to the initial program load request, bootstrap code is transferred to the client from the control system to cause the client to boot (Abstract). As acknowledged by the Examiner, Hoggarth does not teach saving a state of a client device.

Chou discloses a computer system with unattended on-demand availability including power saving features (Abstract). **Applications** may periodically save their operational states to guard against power failures and crashes in the computer system disclosed by Chou (Abstract). The lines cited by Examiner (Column 23, line 52 – Column 24, line 18) describe checkpoint services available **to applications**, allowing the InstantON servicing agent to restart selected **applications** that had earlier registered with

the InstantON servicing agent. Chou does not teach or suggest saving client disk configuration information.

Mergard also does not teach or suggest saving client disk configuration information. Mergard discloses a utility program to configure a memory with configuration states of peripheral devices of a microcontroller (Column 2, lines 38-41). Mergard teaches saving **hardware register values for microcontroller peripheral devices** using **hardware scan path circuitry** to sequentially shift configuration scan data from a microcontroller peripheral device into an external memory (Column 4, lines 16-39). In the lines cited by the Examiner, Mergard addresses the difficulty of reading and writing to or from particular registers when saving/restoring peripheral state using routines run by an execution unit (Column 5, lines 57-59, Column 6, lines 5-8), and teaches using the configuration scan path (i.e., hardware scan path circuitry) to resolve these difficulties.

Applicant can find no teaching or suggestion in either Hoggarth, Chou or Mergard, taken singly or in combination, of saving **client disk configuration information**, as recited in amended Claim 1 of the present application. Accordingly, Applicant respectfully submits that amended Claim 1 patentably distinguishes over the art cited by the Examiner.

Amended independent Claim 2 recites configuring a client device according to the boot program and a **saved configuration state including client disk configuration information**. Amended independent Claim 11 recites **backing up configuration data including client disk configuration information**. Amended independent Claims 16 and 17 similarly recite saving a state of a client device, **including client disk configuration information**. For at least the reasons cited above, amended independent Claims 2, 11, 16 and 17 are also believed to patentably distinguish over the art cited by the Examiner. As Claims 3-10 and 12-15 depend upon amended independent Claims 2 and 11, Claims 3 – 10 and 12 – 15 are also believed to patentably distinguish over the cited art.

New independent Claim 18 recites backup software configured to create one or more backups of a client device, wherein at least one backup of the one or more backups comprises client disk configuration information; and a restoration server configured to restore a client disk configuration using the client disk configuration information following a failure of the client device. Support for new independent Claim 18 and dependent Claims 19 – 23 is found at least in lines 16 – 18 of page 11 of the present application, as well as in Figures 4, 5, 6 and the accompanying descriptions.

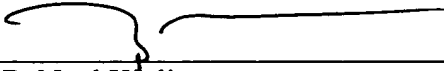
Accordingly, Applicant submits that independent Claims 1, 2, 11, 16, 17 and 18, as well as the remaining pending dependent claims, are in condition for allowance.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-00801/BNK.

Respectfully submitted,



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